

Gretchen L. Lowe, DC Bar No. 421995

glowe@cftc.gov

Luke Marsh, DC Bar No. 475635

lmash@cftc.gov

Toye Olarinde, VA Bar No. 43075

aolarinde@cftc.gov

Commodity Futures Trading Commission

1155 21st St. N.W.

Washington, D.C. 20581

Telephone (202) 418-5322

Facsimile (202) 418-5531

Attorneys for Plaintiff Commodity Futures Trading Commission

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

vs.

SNC ASSET MANAGEMENT, INC.,
formerly Son and Company, Inc., SNC
INVESTMENTS, INC., PETER SON and JIN
K. CHUNG,

Defendants,

and

ANN LEE,

Relief Defendant.

Case No. CV 09-2555 MMC

~~(proposed)~~ ORDER EXTENDING
STATUTORY RESTRAINING ORDER
AS TO DEFENDANT JIN CHUNG

1 This matter came before the Court on the Court's June 10, 2009 Order to Show Cause
 2 why a preliminary injunction should not issue pursuant to Section 6c of the Commodity
 3 Exchange Act as amended (the "CEA"), 7 U.S.C. § 13a-1 (2006). D.E. 10. The Court has
 4 reviewed and considered the Complaint, Plaintiff CFTC's *ex parte* Application for a Statutory
 5 Restraining Order and Order to Show Cause, Supporting Memorandum of Points and Authorities
 6 and all exhibits, declarations, testimony and evidence submitted therewith, Plaintiff
 7 Commission's Application for Preliminary Injunction and Motion to Extend Statutory
 8 Restraining Order as to Defendant Chung, and all other written ~~and oral~~ submissions of counsel
 9 presented to the Court.
 10

11 The Court finds that plaintiff Commission has demonstrated that it attempted to provide
 12 Defendant Jin K. Chung with actual notice of the Statutory Restraining Order and Order to Show
 13 Cause. By Order of this Court, the Statutory Restraining Order expires at 8:00 a.m. PDT on June
 14 24, 2009, unless extended by the Court. Based on the Plaintiff Commission's papers, including
 15 the Declaration of Toyé Olarinde in Support of the Preliminary Injunction, good cause exists to
 16 extend the terms of the Statutory Restraining Order to allow the Commission additional time to
 17 notify Defendant Chung of the Statutory Restraining Order and Order to Show Cause.

18 GOOD CAUSE APPEARING THEREFOR, to the extent it relates to Defendant Jin K.
 19 Chung only, the Court's June 10, 2009 Statutory Restraining Order and Order to Show Cause
 20 (D.E. 10) is extended until July 9, 2009 at 8, a.m.
 21

22 IT IS FURTHER ORDERED THAT Defendant Jin K. Chung shall appear before this
 23 Court on the 7th day of July, 2009, at 4, p.m., before the Honorable
 24 Maxine M. Chesney at the United States Courthouse for the Northern District of California, 450
 25 Golden Gate Avenue, San Francisco, California 94102, to show cause, if there be any, why an
 26 Order for Preliminary Injunction should not be granted to prohibit further violations of the Act
 27
 28

1 and why the other relief requested should not be granted pending trial on the merits of this
2 action.

3 Should Defendant Jin K. Chung wish to file a memorandum of law or other papers in
4 opposition to Plaintiff's Motion for a Preliminary Injunction, all papers shall be filed on or
5 before July 2, 2009 and served via facsimile or overnight delivery to the
6 Commission's Washington D.C. office no later than 4 o'clock p.m. ~~on~~ PDT
7 July 2, 2009. Any reply papers shall be filed with the Court and delivered
8 to opposing counsel no later than 1 o'clock p.m. ~~on~~ PST on July 6, 2009.
9 Service of all papers shall be by electronic mail, facsimile, or personal service.
10

11
12 **IT IS SO ORDERED**, in San Francisco, California on this 19th day of July 2009.
13

14
15 
16 UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26
27
28